

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1830

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1830, entitled "A Bill for an Act Relating to Child Protection."

The purpose of this bill is to provide full immunity from prosecution for any person who abandons an infant at a hospital, fire or police station, or with emergency medical services personnel as long as the infant is left within 72 hours of birth and is left in unharmed condition.

My Administration shares the goal of ensuring that every child in Hawaii has a safe and secure home. However, this bill has consequences that could adversely impact the very children it is attempting to help.

Under this bill, persons abandoning an infant would not be required to identify themselves or to demonstrate their relationship to the infant. As such, it would be impossible to determine if the person leaving the infant was lawfully in possession of the infant at the time of abandonment. In this regard, House Bill 1830 provides no safeguards to protect the rights of both parents to seek

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 1830
Page 2

custody of their child. Similarly, there are no safeguards to allow extended family members, especially grandparents, to assert their interests in caring for the infant.

The infant would be prevented from learning about its medical and genealogical history, which could have health implications for the infant, particularly later in life.

Unlike other states, Hawaii provides a number of programs that provide benefits based on one's ancestral roots. Enactment of this bill would preclude abandoned children of Hawaiian ancestry from knowing of, or being able to prove, their blood quantum to qualify for housing, schooling, or other benefits.

Enactment of H.B. No. 1830 may lead some women, who would ordinarily relinquish their child via adoption proceedings, to take the more expedient route of abandoning their infant.

Adoption is the preferable approach for parents to surrender their parental rights because adoption proceedings provide a mechanism by which the medical history and the genealogical history of the infant may be determined and verified. In addition, adoption procedures provide a mechanism to safeguard the rights of the infant's father and to ascertain if the father or members of the parents' extended families are willing and able to adopt the infant.

Programs such as Project Cuddle focus on the pregnant girl or woman and work with frightened prospective mothers to find safe,

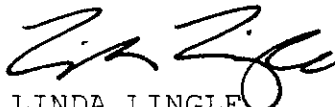
STATEMENT OF OBJECTIONS
HOUSE BILL NO. 1830
Page 3

legal options for their newborns and are a more constructive approach to this problem.

This Administration remains committed to protecting the welfare of all children and will continue its comprehensive efforts to provide the full array of supportive services and nurturing environments that young mothers and their newborns deserve.

For the foregoing reasons, I am returning House Bill No. 1830 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written over the printed name.

LINDA LINGLE
Governor of Hawaii